

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: M. ARIMOTO, et al.

Art Unit 2440

Appln. No.: 10/682,507

Exr. J. Cloud

Filed: October 10, 2003

Conf. No. 9880

For: NETWORK MONITORING SYSTEM

INFORMATION DISCLOSURE STATEMENT
AND FEE UNDER 37 CFR §1.17(p)

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 97(c), Applicants hereby call the attention of the Patent Office to the references listed on the attached Form PTO-1449. Attached is a copy of the Canadian Office Action dated August 29, 2008.

Applicants present these references so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that these references be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

The fee of \$180.00 set forth in 37 CFR §1.17(p) may be charged to Deposit Account No. 04-1061.

The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fee (or credit any overpayment) to Deposit Account No. 04-1061.

Respectfully submitted,

/James Edward Ledbetter/

Date: November 26, 2008

James E. Ledbetter
Registration No. 28,732

JEL/krw

ATTORNEY DOCKET NO. 008612-03103
DICKINSON WRIGHT, PLLC
1901 L STREET, NW, Suite 800
WASHINGTON, DC 20036
Telephone: (202) 457-0160
Facsimile: (202) 659-1559
DC 8612-3103 128606